

Manhattan Community Board 4

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Pantheon Prime LLC		Pantheon	
STREET ADDRESS		CROSS STREETS	ZIP CODE
94 Seventh Avenue		West 15th and 16th Street	10011
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME:	Kevin Maribao & Justin Liwanag	ATTORNEY/ REPRESENTAIVE
	PHONE:	914 262 1318	
	EMAIL:	kevin_maribao31@yahoo.com jliwanag905@gmail.com	
MANAGER	NAME:	Nicholas Marshall	LANDLORD
	PHONE:	646 671 0518	
	EMAIL:	Nick.Marshall@corcoran.com	
NAME:		Bernstein Redo & Savitsky PC Donald M. Bernstein, Esq.	
PHONE:		212 651 3100	
EMAIL:		donald@brpclaw.com	
NAME:		200 Associates LLC	
PHONE:		718 886 3737	
EMAIL:		arezu.sohn@corcoran.com	
APPLICATION TYPE (<input type="checkbox"/> <i>Liquor License</i> <input checked="" type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	What is/was the name and address of establishment?		N/A
	What were the dates applicant was involved with this former premise?		N/A (See outreach documents and public interest statement for hospitality experience)
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization – Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	April 2024
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	See enclosed
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	See enclosed
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation *	11am-12am	11am-12am	11am-12am	11am-2am	11am-2am	11am-2am	11am-12am
	Kitchen	11am-12am	11am-12am	11am-12am	11am-2am	11am-2am	11am-2am	11am-12am
	Music	11am-12am	11am-12am	11am-12am	11am-2am	11am-2am	11am-2am	11am-12am
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ	<input type="radio"/> JUKE BOX	<input type="radio"/> KARAOKE	

***Exterior sidewalk cafe 11am to 10pm seven days a week OCCUPANCY**

	Capacity (Certificate of Occupancy)	Maximum # of Persons Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar	
INSIDE	Estimated 111**	111	41	82	None	2	23	
OUTSIDE <i>(Other than sidewalk café)</i>	N/A							
DCA APPROVED UNENCLOSED SIDEWALK CAFÉ								
How many floors are there? What is the capacity for each floor?					Estimated 1st floor 71 occupancy and estimated cellar 40 occupancy			
How frequently will the owner(s) be at the establishment?					Daily			
Will there be dancing?					YES	<input checked="" type="radio"/> NO		
Will applicant have bottle or table service for beverage alcohol?					<input checked="" type="radio"/> YES	NO		
Will applicant be hosting private; promotional or corporate events?					<input checked="" type="radio"/> YES	NO	Private on occasion	
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="radio"/> NO		
Will applicant have a security plan? If, yes please attach.					YES	<input checked="" type="radio"/> NO		
Will security plan be implemented?					YES	<input checked="" type="radio"/> NO		
Will State certified security personnel be used?					YES	<input checked="" type="radio"/> NO		
Will New York Nightlife Association and NYPD Best Practices be followed?					YES	<input checked="" type="radio"/> NO		
Does applicant agree to notify MCB4 prior to making changes to its method of operation?					<input checked="" type="radio"/> YES	NO		
Will applicant be using delivery bicycles? If yes, how many?					YES	<input checked="" type="radio"/> NO		
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?					YES	NO	N/A	
Where will delivery bicycles be stored during the day when not in use?					N/A			

****The enclosed Certificate of Occupancy is to be amended for the occupancy**

MULTIPLE SPACES/FLOORS CAPACITY BREAKDOWN

Space/Floor	Description/Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service Only Bars	# of Stand-Up Bars/Seats at Bar	Music
1st Floor	Cocktail Bar	71 estimated	11am-12am Sun to Wed 11am to 2am Thur to Sat	25	50	None	1 with 14 bar stools	Background
Cellar	Cocktail Bar	40 estimated	11am-12am Sun to Wed 11am to 2am Thur to Sat	16	32	None	1 with 9 bar stools	Background

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input type="radio"/> NO	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Yes, see enclosed Certificate of Occupancy to be amended
Is a Public Assembly permit required?	YES	<input type="radio"/> NO	
Are your plans filed with DOB?	YES	<input type="radio"/> NO	

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	See enclosed list of groups with email to groups together with emails in support of application.	
	# 2	See enclosed notice to residents with list of addresses where the notice was left.	
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.	N/A		
Who was your contact person at each group you met with?	See enclosed		
When did applicant post the notice that was provided?	2/27/2024		
Where did applicant post the notice that was provided?	At the restaurant and on lamp posts.		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	914 262 1318
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

BUILDING DESIGN			
State the name and type of business previously located in the space.	A COVID testing site		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	New signage
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	New signage
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input type="radio"/> YES	<input type="radio"/> NO	Applicant will install soundproofing See enclosed public interest statement
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input type="radio"/> YES	<input type="radio"/> NO	N/A Electric food prep area to be installed
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input type="radio"/> NO	Signage will not be bright.
Will the establishment have a canopy extending over the sidewalk?	<input type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?	To be determined		
When was the air conditioner installed?	To be determined		

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo or open dining in the parking lane? If yes, which one(s)?	YES	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s) or on the sidewalk?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	
If open dining in the parking lane, will applicant agree to leave the sidewalk free of any furniture?	YES	NO	
If open dining, will you comply with all NYC DOT guidelines?	YES	NO	
If open dining, will the installation be year-round?	YES	NO	

DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

Has the applicant or owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant open a sidewalk café now or in the future?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is applicant in the process of applying to include a sidewalk café in its liquor license?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If yes, has applicant submitted plans to NYC Dept. of Consumer Affairs? Please attach plans.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant close and vacate the sidewalk from 5 PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be serving alcohol in the sidewalk café? Do you have waiter service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the café have a 3 ft. wide serving aisle running through the sidewalk café?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant mark the perimeter of the café on the sidewalk?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in the sidewalk café only be for food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the sidewalk café not provide standing space for drinking?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any portable natural gas heaters? If yes, will applicant have requisite approvals from DOB & the Fire Department?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a lighting plan that will not illuminate outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will all furniture, plants and barriers be removed between the evening closing hours and the morning opening hours?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will all furniture be stored on the sidewalk between December 21 st and March 21 st , and any other day when it rains or snows?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a plan to remove furniture from the sidewalk during winter months?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
If construction or construction protection has reduced the sidewalk width, will applicant agree to maintain an 8 foot clear path of sidewalk between the perimeter of the café and the nearest obstruction including construction barricades?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	<input type="radio"/> YES	<input type="radio"/> NO	N/A

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

- This application does not extend to any outdoor seating at this time
- Applicant will take reasonable steps to avoid patron lines outside
- On cellar level, door to residential building will be used as an emergency exit only
- Applicant agrees to obtain an acoustical report from an NYC-Approved Acoustician and will submit report to MCB4 office by 3/25/24
- Applicant agrees to implement all recommendations of report

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:
 (MCB4's recommendation is based on a vote taken at its
April 3, 2024 full board meeting, with 39 members voting in favor
 of the recommendation, 0 members opposed, 0 members
 abstaining and 0 present but not eligible)

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation
 Denial Approval

CB4 REPRESENTATIVES

 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>
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APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

<p>SIGN HERE →</p>	<p>Kevin Maribao PRINT NAME OF APPLICANT</p>	 SIGNATURE OF APPLICANT	<p>March 5, 2024 DATE</p>
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From: Jules Vigh <Jules@brpclaw.com>

Sent: Monday, February 26, 2024 12:17 PM

To: Jules Vigh <Jules@brpclaw.com>

Cc: Marshall, Nick <Nick.Marshall@corcoran.com>; Kevin Maribao <kevin_maribao31@yahoo.com>; Justin Liwanag <jliwanag905@gmail.com>; Gonzalez, Nelly (CB) <negonzalez@cb.nyc.gov>; Donald Bernstein <Donald@brpclaw.com>

Subject: Pantheon Prime LLC / 94 Seventh Avenue

Good afternoon,

We wanted to contact your organization to let you know that Pantheon Prime LLC dba Pantheon will be opening a high-end refined cocktail bar at 94 Seventh Avenue between West 15th and West 16th Streets and will be applying for an on-premises liquor license. The cocktail bar will be located on the ground floor and cellar. The former business at the space was a COVID testing center and the space is currently vacant.

One of the owners is Justin Liwanag who has been working as a bartender at various venues since 2016. He is currently employed as a bartender at the restaurant Principe located at 450 West Broadway in Manhattan. The general manager is Nicholas Marshall who has worked as a hospitality consultant for over 12 years with The Butter Group, 50 Bowery, the Saint Restaurant & Lounge in New York and The Jane in Texas.

The estimated ground floor seating is 50 with a customer bar with an estimated 12 bar stools. The estimate cellar seating is 30 with a customer bar with an estimated 6 bar stools. Background music will only be played. The estimated exterior sidewalk café seating is 16 seats.

The proposed hours of operation are 11am to 12am Sunday to Wednesday and 11am to 2am Thursday to Saturday. The proposed hours of operation for the sidewalk café are 11am to 10pm seven days a week. We plan to have accordion doors that open from 11am to 10pm seven days a week.

The menu will feature a curated selection of light bites including empanadas, tacos, pastas, charcuterie and vegetable platters.

The Community Board Meeting is scheduled for March 12, 2024.

If you would like more information on our liquor license application please contact our counsel's office at: donald@brpclaw.com and jules@brpclaw.com

Thank you,

Jules

Jules Vigh|Paralegal
BERNSTEIN REDO & SAVITSKY PC
1177 Avenue of the Americas, 5th floor
New York, NY 10036
Tel. 212.651.3100 \ Cell Phone 646 358 0653
jules@brpclaw.com \ www.brpclaw.com

Bounce backed emails

Delivery has failed to these recipients or groups:

[steve@w15ba.com \(steve@w15ba.com\)](mailto:steve@w15ba.com)

A problem occurred and this message couldn't be delivered. Check to be sure the email address is correct. If the problem continues, please contact your email admin.

[info@w15ba.com \(info@w15ba.com\)](mailto:info@w15ba.com)

A problem occurred and this message couldn't be delivered. Check to be sure the email address is correct. If the problem continues, please contact your email admin.

[kimon@w15ba.com \(kimon@w15ba.com\)](mailto:kimon@w15ba.com)

A problem occurred and this message couldn't be delivered. Check to be sure the email address is correct. If the problem continues, please contact your email admin.

Delivery has failed to these recipients or groups:

lttnews@gmail.com

Your message wasn't delivered because the recipient's email provider rejected it.

The following organization rejected your message: gmail-smtp-in.l.google.com.

From: Gerhard Summerer <gerhard_summerer@yahoo.com>

Sent: Tuesday, February 27, 2024 7:47 PM

To: Donald Bernstein <Donald@brpclaw.com>; Jules Vigh <Jules@brpclaw.com>

Subject: re. liquor license application Pantheon Prine LLC

Dear Sirs and team of proprietors,

today I found your flier "Notice to Residents" informing the neighbors of your plans for a new cocktail bar on 7th Avenue, which I read with interest.

As a member of our coop's board (227&229&231 W.16th Street) I believe that an establishment like yours adds to the fabric and attractiveness of the neighborhood.

In addition, I believe that your operating hours add to the safety on 7th Avenue, as

"lights on" and "people in & out" is preferable to empty and dark sidewalks.

In my experience though liquor license applications are often fought by nearby neighbors, as they fear noise and drunks.

As you might have observed - New York City sidewalks could be cleaner - which would be another sign of a safe neighborhood. Too many people drop their garbage where they stand. I would therefore kindly suggest, that you offer to clean the sidewalk in front of your establishment once a day - even if none of the garbage out front is yours.

A voluntary offer at a public community hearing might be helpful to sway those that oppose new liquor licenses on principle. It will also make your bar look more inviting !

Should you like to have a supportive neighbor at the hearing - please let me know.

Looking forward to welcoming your cocktail bar to the neighborhood,

Jerry

Gerhard Summerer

231 W. 16th Street - Apt. 2WR

New York, NY 10011

(917) 535 3950

From: Edward Curtis <sitruce@yahoo.com>

Sent: Saturday, March 9, 2024 5:57 PM

To: negonzalez@cb.nyc.gov

Cc: Donald Bernstein <Donald@brpclaw.com>; Jules Vigh <Jules@brpclaw.com>

Subject: MCB4 - Business License & Permits Committee - Application of Pantheon at 94 Seventh Avenue

Good evening, Ms. Gonzalez. This is Edward Curtis. I reside at 229 W. 16th St. between Seventh and Eighth Avenues. I received a notice about the Pantheon applying for a liquor license for a bar that is to be located at 94 Seventh Ave. between 15th and 16th St. I understand that it is on the Business License and Permit Committee calendar for March 12. Unfortunately, I will be at a class that evening. Nevertheless, I would like to support Pantheon's application.

I have resided in this neighborhood for more than 25 years. When I first came, there were many bars and restaurants in the neighborhood at which I could meet neighbors and other regulars. However, over time, a number of these bars and restaurants have closed and have not been replaced. Often this is attributed to the effects of the pandemic. Other times bar owners and restaurant owners either lost their leases or could not find persons to take over their establishments when they retired or moved away. There is still a deficit of bars and restaurants where neighbors can meet and get to know each other. For that reason alone, I support Pantheon's application.

I am also interested in keeping the neighborhood vibrant and solvent, particularly in terms of tax revenue for the City. Many people come in to Chelsea to work or socialize. Often, the bars and restaurants are crowded. For example, Gadfly Bar, which opened only one or two years ago, is often so crowded that my wife and I cannot find a seat. We now have many closed storefronts on our avenues. I would like those storefronts to be inviting, tax-paying businesses.

When the Community Board considers Pantheon's application, I hope that they will keep in mind the service provided by our bars and restaurants in making Chelsea a vibrant and interesting neighborhood and destination, as well as the need for increased City tax revenue. Thank you very much for considering my statement when you make your decision.

-----Original Message-----

From: Edward Curtis <sitruce@yahoo.com>

Sent: Tuesday, February 27, 2024 3:05 PM

To: Donald Bernstein <Donald@brpclaw.com>; Jules Vigh <Jules@brpclaw.com>

Subject: Business License and Permits Committee Pantheon at 94 Seventh Avenue

Good afternoon. This is Edward Curtis. I reside at 229 W. 16th St. between Seventh and Eighth Avenues. I received your notice about the Pantheon applying for a liquor license for a bar that is located at 94 Seventh Ave. between 15th and 16th St. I see that it is on the Business License and Permit Committee calendar for March 12. Unfortunately, I will be at a class that evening. However, I would like to support your application (I generally support all business applications for liquor licenses in my neighborhood). Could you please send me the contact information for the Business License and Permit Committee and whatever calendar number you have for the application? Thank you very much.

Edward J. Curtis, Jr.



NOTICE TO RESIDENTS

Dear neighbor,

We wanted to let you know that Pantheon Prine LLC dba Pantheon will be opening a high-end refined cocktail bar at 94 Seventh Avenue between West 15th and West 16th Streets and will be applying for an on-premises liquor license. The cocktail bar will be located on the ground floor and cellar. The former business at the space was a COVID testing center and the space is currently vacant.

One of the owners is Justin Liwanag who has been working as a bartender at various venues since 2016. He is currently employed as a bartender at the restaurant Principe located at 450 West Broadway in Manhattan. The general manager is Nicholas Marshall who has worked as a hospitality consultant for over 12 years with The Butter Group, 50 Bowery, the Saint Restaurant & Lounge in New York and The Jane in Texas.

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The menu will feature a curated selection of light bites including empanadas, tacos, pastas, charcuterie and vegetable platters.

The Community Board Meeting is scheduled for March 12, 2024.

If you would like more information on our liquor license application please contact our counsel's office at: donald@brpclaw.com and jules@brpclaw.com

Thank you.

Pantheon Prime LLC

List of Addresses Where the Notice to Residents Were Left

267 west 15th-under door

259 west 15th-posted inside

255 west 15th-under door

253 west 15th-under door

251 west 15th-under door

247 west 15th-under door

243 west 15th-under door

241 west 15th-under door

239 west 15th-under door

237 west 15th -under door

235 west 15th-under door

233 west 15th-under door

231 west 15th-under door

229 west 15th -under door

227 west 15th-under door

225 west 15th -under door

223 west 15th under door

221 west 15th-under door

219 west 15th-under door

217 west 15th-under door

205 west 15th-left with doorman and posted by mailbox

200 west 15th-posted inside

206 west 15th-under gate

208-condemned

210 west 15th-under door

212 west 15th-in mailbox/under door

The Sebastian -left with doorwoman

218 west 15th-under door

220 west 15th-under door

220 west 15th-under door

226 west 15th-under door

228 west 15th-under door

230 west 15th-under door

232 west 15th-inside gate

236 west 15th-under door

240 west 15th-under door

Pantheon Prime LLC

List of Addresses Where the Notice to Residents Were Left

250 west 15th-under door
254 west 15th-under door
256 west 15th-under door
258 west 15th-under door
260 west 15th-under door
262 west 15th-mailbox
264 west 15th-mailbox
105 8th Avenue-posted inside
106-108 8th Avenue-posted inside
110 8th avenue-under door
112 8th Avenue-under door
114 8th avenue-under door
253 west 16th-under door
251 west 16th-mailbox
247 west 16th-under door
245 west 16th-under door
243 west 16th-under door
241 west 16th-under door
239 west 16th-under door
237 west 16th-under door
235 west 16th-under door
233 west 16th-under door
231 west 16th-under door
229 west 16th-under door
227 west 16th-under door
225 west 16th-posted inside
224 west 16th-under door
221 west 16th-under door
219 west 16th-under door
217 west 16th-under door
215 west 16th-under door
213 1/2 west 16th-under door
213 west 16th-under door
211 west 16th-under door
207 west 16th-under door
201 west 16th-left with doorman

Pantheon Prime LLC

List of Addresses Where the Notice to Residents Were Left

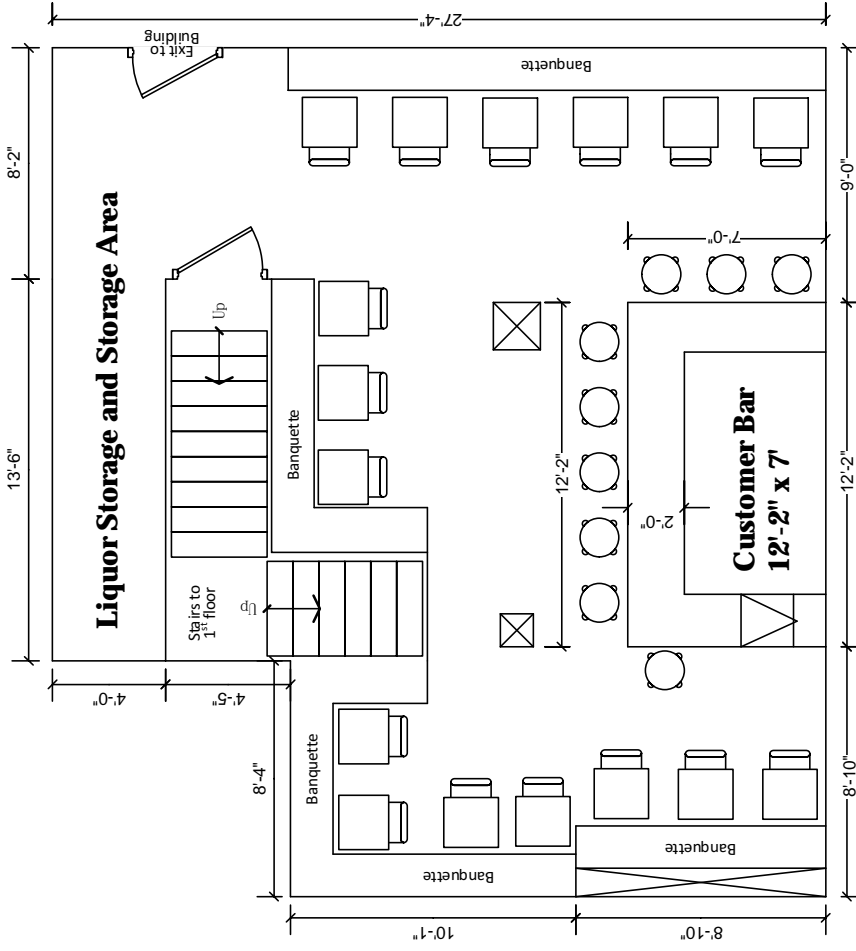
260 west 16th-under door
250 west 16th-under door
246 west 16th-under door
244 west 16th-under door
242 west 16th-under door
240 west 16th-interior lobby
236 west 16th-under door
234 west 16th-under door
232 west 16th-under door
230 west 16th-under door
228 west 16th-under door
226 west 16th-under door
224 west 16th-under door
222 west 16th-under door
220 west 16th-under door
216-218 west 16th-under door
214 west 16th-under door
212 west 16th-under door
210 west 16th-under door

Diagrams

Pantheon Prime LLC dba Pantheon / 94 Seventh Avenue / New York, NY 10011

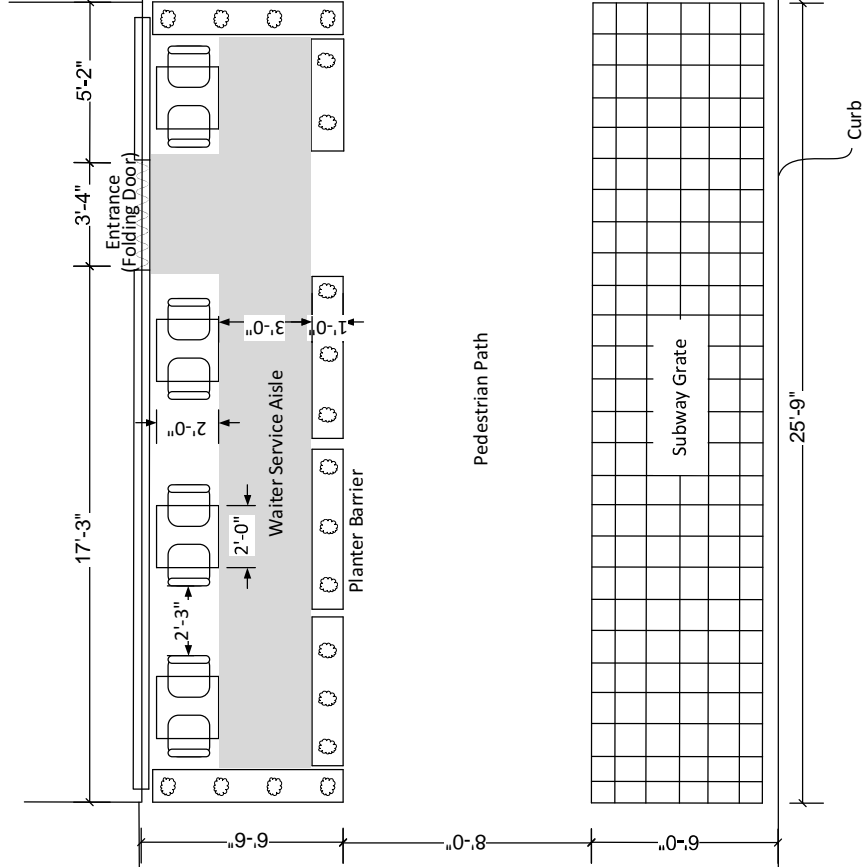
Cellar diagram. 16 tables and 32 seats with 9 bar stools for a total of 41 seats with 750 square feet.

Grand total interior 41 tables and 105 seats



Pantheon Prime LLC dba Pantheon / 94 Seventh Avenue / New York, NY 10011

Blow up of sidewalk cafe with measurements



Landess-Simon, Inc.
Legal & Commercial Photography
45 Lawlins Park
Wyckoff, NJ 07481
Phone: (201) 848-5652
E-mail: landess@lsc.net
landessphotographers.com

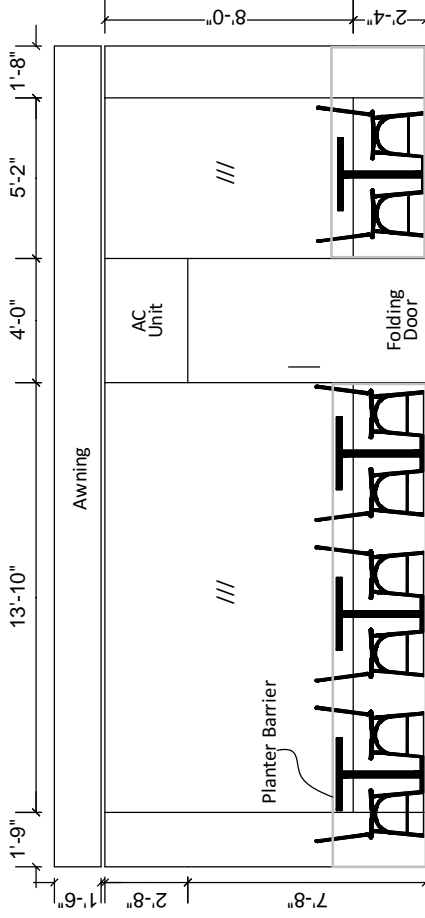
**PROPOSED NEW
SIDEWALK CAFÉ AT
94 7th Avenue
New York, NY**

**PLAN VIEW
Scale: 1/4" = 1'-0"**

March 2, 2024

Pantheon Prime LLC dbc Pantheon / 94 Seventh Avenue / New York, NY 10011

Sidewalk cafe with measurements



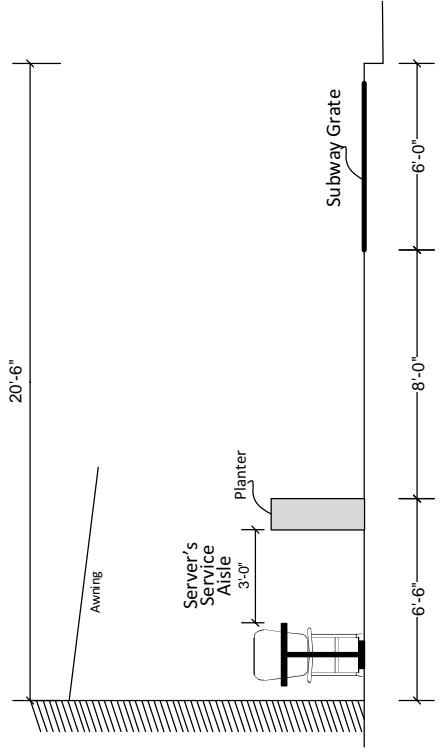
ELEVATION UNENCLOSED SIDEWALK CAFÉ
 Scale: 1/4" = 1'-0"

Landess-Simon, Inc.
 Legal & Commercial Photography
 45 Lincoln Road
 Westport, NY 10748
 Phone: (201) 848-5652
 E-mail: landess@att.net
 landessphotographers.com

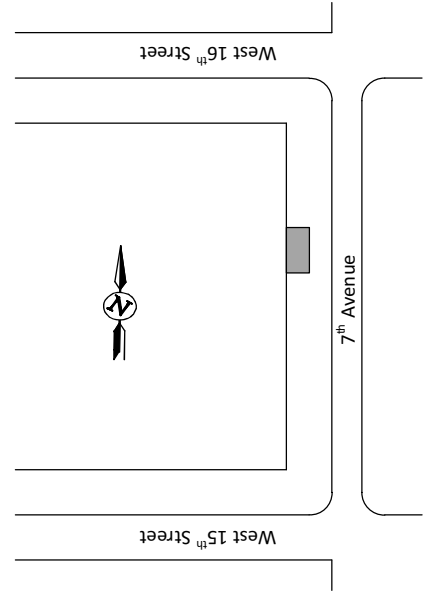
**PROPOSED NEW
 SIDEWALK CAFÉ AT
 94 7th Avenue
 New York, NY**

**- PLOT PLAN
 - ELEVATION
 - SECTION**

March 2, 2024



SECTION
 Scale: 1/4" = 1'-0"



PLOT PLAN
 (Not to Scale)

Photographs

Pantheon Prime LLC
dba Pantheon
94 Seventh Avenue
New York, NY 10011



Pantheon Prime LLC
dba Pantheon
94 Seventh Avenue
New York, NY 10011



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94 Seventh Avenue
New York, NY 10011



Pantheon Prime LLC
dba Pantheon
94 Seventh Avenue
New York, NY 10011



Menu



Pantheon Proposed Menu

A conserva bar pincho culture concept featuring various cold and heated foods prepared without a kitchen

Hummus/Babaganoosh/Red Pepper Couli/various other "dips"

Pitas/breads

Charcuterie

Cheese Plates

Various Paninni's

(the following are going to be prepared cold and heated, with different variations- mix/match-make your own platters/sandwiches/etc.)

Caviar

Sardines

Shrimp

Lobster

Oysters/Clams

Octopus

Lamb Meatballs

Beef Meatballs

Chicken

Beef tartare

Hard Boiled eggs

Various salads with differing preparations-kale/chopped/greek/etc.

Area Survey with List of Measurements

Re: 94 7th Avenue

1. Cafeteria - 119 - 12 1/2 7th Avenue - (380')
2. The Rubin Museum of Art - 150 West 17th Street - (384')
3. Westville Chelsea - 88 7th Avenue - (48')
4. District Local - 72 7th Avenue - (255')
5. Coppelia - 207 West 14th Street - (423')
6. Flannery's Bar - 205 West 14th Street - (420')
7. Chama Mama - 149 West 14th Street - (495')

Schools & Churches

No schools and churches within 500' area.

Shade Store

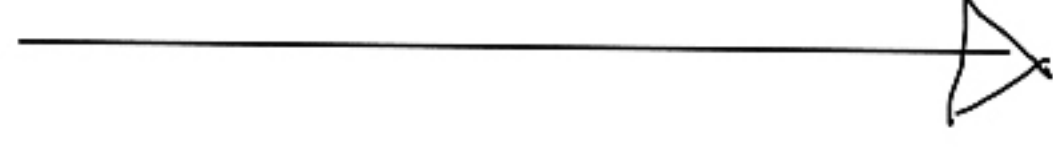
Pizzeria
Coffee Store
Eyebrows Salon
APPLICANT
Matress Store
Westville Chelsea 88 7th Ave.
Chelsea Wine Country 86 7th Ave.
Bar B (wine, beer)
Clothing
Deli
Vacant

Beauty Salon

Vacant

West 16th Street

Housewares



Furniture

West 15th Street

Super Market

7th Avenue

BLOCK PLOT
94 7th Avenue
New York, NY
February 28, 2024

NOT TO SCALE

Public Interest Statement

PUBLIC INTEREST STATEMENT / 500' LAW STATEMENT

Pantheon Prime LLC
dba Pantheon
94 Seventh Avenue
New York, New York 10011

The subject premises will be a high-end refined cocktail bar located at 94 Seventh Avenue between West 15th and West 16th Streets in Chelsea neighborhood of Manhattan. The former space was operated as a COVID testing center and the space is currently vacant.

The concept of the venue is based on the European conserva bar pincho culture featuring various cold and heated foods prepared without a full kitchen. Only a food preparation will be utilized. Dishes include charcuterie, cheese plates, sandwich plates, caviar, beef tartare and various salads.

One of the owners is Justin Liwanag who has been working as a bartender at various venues since 2016. He is currently employed as a bartender at the restaurant Principe located at 450 West Broadway in Manhattan. The general manager is Nicholas Marshall who has worked as a hospitality consultant for over 12 years with The Butter Group, 50 Bowery, the Saint Restaurant & Lounge in New York and The Jane in Texas.

Pantheon will occupy the ground floor and cellar spaces of a 19th story residential building. The ground floor interior has 25 tables and 50 seats with a 30' x 7' customer bar with 14 bar stools with 1,532 square feet. The cellar has 16 tables with 32 seats and a 12'-2" x 7' customer bar with 9 seats with 750 square feet. The exterior sidewalk café will have 4 tables and 8 seats with 154 square feet. There will only be recorded music.

The proposed interior hours of operation are 11am to 12am Sunday to Wednesday and 11am to 2am Thursday to Saturday. The proposed hours of operation for the exterior sidewalk café are 11am to 10pm seven days a week.

The following sub-sections of section 64 of the ABC Law specifically address the statutory requirements for the public convenience and advantage when there are three or more establishments with full liquor licenses within 500 feet of the applicant:

- (a) The number, classes and character of licenses in proximity to the location and in particular municipality or subdivision thereof.**

There are only seven establishments within 500 feet of the applicant that hold full liquor licenses. Five are restaurants, one is a tavern and one is a museum.

Cafeteria is a fancy style American restaurant diner that is 380' from the applicant and Westville Chelsea is another American style restaurant that is 48' from the applicant. Flannery's Bar is a sport bar that is 420' from the applicant. The Rubin Museum is 384' from the applicant.

The new Pantheon cocktail bar will prove to be an asset to the neighborhood since it is transforming a closed space into a charming refined and welcoming establishment with a high-end cocktail experience for guests. Pantheon will attract neighborhood residents, local business people and tourists.

(b) Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies

The applicant has a Certificate of Occupancy which will be amended for occupancy and to show eating and drinking establishment with Use Group 6. The applicant will apply for all necessary licenses, permits and certifications including but not limited to a Department of Health and Mental Hygiene permit and a Fire Department inspection. The applicant will further obtain Worker's Compensation Insurance, Disability Insurance, a Certificate of Authority to Collect Sales Taxes and a Certificate of Assumed Name.

(c) Effect of the grant of the license on vehicular traffic and parking in proximity to the location

As there are only seven locations with a full liquor licenses in the area, the new space will not have an impact on vehicular traffic. Customers of the venue can either walk, take public transportation or access the restaurant by NYC taxis or private car services. Further, there are three parking garages in the area. One on West 14th Street, one on West 15th Street and one on West 17th Street.

(d) The existing noise level at the location and any increase in noise levels that would be generated by the proposed premises

The applicant will of course manage a respectable establishment so residents are not disturbed by any noise. Background music will be played at a low volume level. The venue plans on implementing the following sound proofing measures.

Replacing AC ducts with new fully insulated duct work, hung off structures with vibration isolaters and enclosure of ceiling STC rated assembly.

(e) The history of liquor violations and reported criminal activity at the proposed premises

Upon information and belief; and to the best of our knowledge, there are no current SLA violations for this space or any criminal history.

In addition to the matters stated above, issuance of the instant license will also promote the public interest in that it will be a positive contribution to the economy also by way of the jobs maintained, continued wages paid, income, sales and other taxes collected, state and local license revenues, and maintenance of the local real estate tax base.

Accordingly, we believe approval of this application and issuance of an on-premises liquor license will promote the public interest and convenience. We therefore request that the Community Board approve the application.

Certificate of Occupancy together with NYC
Department of Buildings Property Profile
Page

BUREAU OF BUILDINGS
BOROUGH OF MANHATTAN, CITY OF NEW YORK

CERTIFICATE OF OCCUPANCY No. 16549 **19 30**

Supersedes Certificate of Occupancy No.

To the owner or owners of the building:

New York **June 23, 19 30**

THIS CERTIFIES that the building located on Block **765** . Lot **41**

known as **200 W. 16. Street**

under a permit, Application No. **N.B. 501** **1929**, conforms to the approved plans and specifications accompanying said permit and any approved amendments thereto, and to the requirements of the building code and all other laws and ordinances and to the rules and regulations of the board of standards and appeals, applicable to a building of its class and kind, except that in the case of a building heretofore existing and for which no previous certificate of occupancy has been issued and which has not been altered or converted since March 14, 1916, to a use that changed its classification as defined in the building code, this certificate confirms and continues the existing uses to which the building has been put; and

CERTIFIES FURTHER that the building is of **fireproof** construction within the meaning of the building code and may be used and occupied as a **business & residence** building as hereinafter qualified, in a **unrestricted** district under the building zone resolution, subject to all the privileges, requirements, limitations and conditions prescribed by law or as hereinafter specified.

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED			USE
		MALE	FEMALE	TOTAL	
Cellar				20	Storage and utility rooms
1st story	120			200	Stores and offices
2nd to 18th story	40 on each				Tenement
Pent House	40				Tenement

This certificate is issued to **Farrar & Watmough, archts.**
10 E. 40 St. N.Y.C.

, for the owner or owners.

The superimposed, uniformly distributed loads, or their equivalent concentrated loads in any story shall not exceed the live loads specified above; the number of persons of either sex in any story shall not exceed that specified when sex is indicated; or shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

Unless specifically stated above, the building or any part thereof, if certified as a public building, shall not be used as a building in which persons are harbored to receive medical, charitable or other care or treatment, such as a hospital, asylum, etc., or in which persons are held or detained under legal restraint, such as a police station, jail, etc.; nor shall it be used as a motion picture theatre as defined in section 30, chapter 3, Code of Ordinances; nor as a theatre or opera house or other building intended to be used for theatrical or operatic purposes, or for public entertainment of any kind, for the accommodation of more than 300 persons.

Unless specifically stated above, the building or any part thereof, if certified as a residence building, shall not be used as a tenement house as defined in the tenement house law; nor shall it be used as any form of residence building having more than 15 sleeping rooms; nor shall it be used as a lodging house within the meaning of Sec. 1305 of the Greater New York Charter.

Unless specifically stated above, the building or any part thereof, if certified as a business building, shall not be used as a garage, motor vehicle repair shop or oil selling station as defined in section 1, chapter 10, Code of Ordinances; nor shall it be used for the generation or compression of acetylene; nor as a factory building as defined in the labor law; nor as a grain elevator; nor as a coal pocket.

Except as otherwise noted above, the building, or any part thereof, if located elsewhere than in an unrestricted district, shall not be used for any of the purposes enumerated in paragraph (a) of section 4 of the building zone resolution; nor for any trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise; nor for any kind of manufacturing not already prohibited, except that, if located in a business district, not more than twenty-five per cent. of the total floor space may be so used, or space equal to the area of the lot in any case.

Except as otherwise noted above, the building, if certified as a garage, may not be used for more than five cars on any portion of a street between two intersecting streets, in which portion there exists an exit from or an entrance to a public school, or in which portion there exists any hospital maintained as a charitable institution; and in no case within a distance of 200 feet from the nearest exit from or entrance to a public school; nor within two hundred feet of any hospital maintained as a charitable institution.

If the building has, at any time previous to the issuance of this certificate, been the subject of an appeal to the board of appeals or of a petition to the board of standards and appeals resulting in modification or variation of law or any lawful requirement, the construction and arrangement of the building as specified in the resolution granting such modification or variation, must be maintained, and all conditions imposed by either board must be observed.

No change or re-arrangement in the structural parts of the building, or affecting the lighting or ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located, until an approval of the same has been obtained from the superintendent of buildings.

This certificate supersedes each and every previously issued certificate of occupancy for this building or any part thereof, and each and every such previously issued certificate shall be null and void; and this certificate in turn becomes null and void upon the issuance of any new lawful certificate.

This certificate does not in any way relieve the owner or owners, or any other person or persons in possession or control of the building, or any part thereof, from obtaining such other permits or licenses as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

This certificate does not authorize the use or operation of any elevator in the building without the special certificate required by section 563 of the building code.

If the building is or is required to be equipped with standpipes or other fire extinguishing or gas shut off appliances, this certificate is not complete until such standpipes or other appliances have been inspected by the fire department (or by the Tenement House Department, in the case of a gas shut off in a tenement house) and approved in writing, either in a separate certificate or by endorsement upon this certificate. (Space for such endorsement is provided on page 4 of this certificate.)

If this certificate is marked "Temporary," it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to a tenement house unless also approved by the tenement house commissioner; and it must be replaced by a full certificate as soon as the entire building is completed according to law and ready for occupancy.

The word "class" as used in this certificate refers to the classification of buildings in the building code (section 70).

This certificate is issued in accordance with the provisions of section 411-a of the Greater New York Charter and of section 5 of chapter 5 (Building Code) of the Code of Ordinances of the City of New York.

Examined. *69*

Superintendent of Buildings, Borough of Manhattan. *22*

Additional copies of this certificate will be issued, upon written request, to persons having a proprietary interest in the building.

**NYC Department of Buildings
Property Profile Overview**

94 7 AVENUE **MANHATTAN 10011** **BIN# 1013776**

7 AVENUE	90 - 98	Health Area	: 5600	Tax Block	: 765
WEST 16 STREET	200 - 202	Census Tract	: 81	Tax Lot	: 41
		Community Board	: 104	Condo	: NO
		Buildings on Lot	: 1	Vacant	: NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#) [View Challenge Results](#) [Pre - BIS PA](#) [View Certificates of Occupancy](#)

**VIOLATION FOR
FAILURE TO
CERTIFY
CORRECTION OF
CLASS 1 VIOLATION
EXISTS ON THIS
PROPERTY - DOB
CIVIL PENALTIES
DUE**

Cross Street(s):	WEST 15 STREET, WEST 16 STREET		
DOB Special Place Name:			
DOB Building Remarks:			
Landmark Status:		Special Status:	N/A
Local Law:	YES	Loft Law:	NO
SRO Restricted:	NO	TA Restricted:	NO
UB Restricted:	NO		
Environmental Restrictions:	N/A	Grandfathered Sign:	NO
Legal Adult Use:	NO	City Owned:	NO
Additional BINs for Building:	NONE		

HPD Multiple Dwelling: Yes

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: D6-ELEVATOR APT

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.



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Fairfield, NJ
55 Lane Road
Suite 407
Fairfield, NJ 07004

Manhattan, NY
104 West 29th Street
10th Floor
New York, NY 10001

NYS SLA Acoustic Analysis Pantheon

94 Seventh Avenue, New York, NY 10011 Manhattan Community District 4



PREPARED FOR:
Pantheon Prime LLC
94 Seventh Avenue
New York, New York 10011

GZA GeoEnvironmental, Inc.
55 Lane Road, Suite 407 | Fairfield, NJ 07004
(212) 594-8140
31 Offices Nationwide
www.gza.com
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March 25, 2024

1. OVERVIEW

GZA GeoEnvironmental (GZA) performed an acoustic investigation to evaluate the potential impact of noise generated by the cocktail bar and sidewalk café associated with the planned bar at 94 Seventh Avenue. The planned bar is located along Seventh Avenue between West 15th Street and West 16th Street in the Chelsea neighborhood of Manhattan Community District Four. The Project Site is shown in **Figure 1** below. The evaluated spaces included a bar on the cellar level, a bar on the floor, and an outdoor sidewalk café. To evaluate the potential collective impact of background music and patron generated noise on adjacent sensitive residential receptors, GZA has performed the following work:

1. Monitored existing noise levels outdoors at the Project frontages.
2. Estimated the sound levels of the indoor dining areas, used the estimated attenuation values of the facades, and used distance calculations and the existing ambient sound levels to determine the increase in sound levels at the exterior nearby uses;
3. Estimated the sound levels of the sidewalk café and used distance calculations and the existing ambient sound levels to determine the increase in sound levels at the exterior nearby sensitive uses;
4. Compared results to NYC Noise Code.


Site Context

The proposed Pantheon at 94 Seventh Avenue context is one of the bustling residential and commercial Chelsea District. This Site and its proposed main is located along Seventh Avenue. Seventh Avenue at this location is a one-way, south bound street lined with ground floor restaurant and retail spaces with commercial office and residential uses above. The general area of the Project Site is bustling with cars and foot traffic.

Figure 1 – Project Site



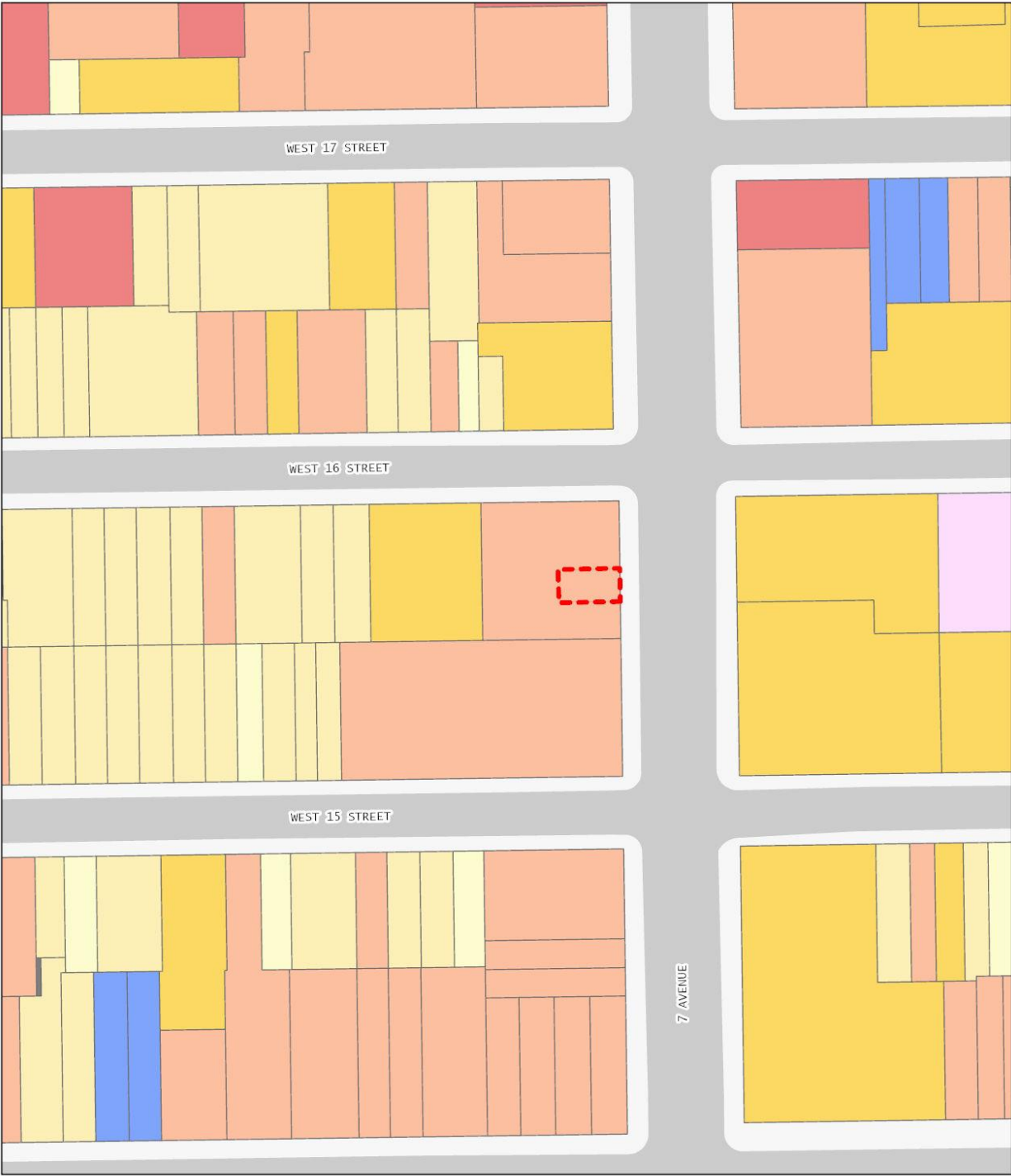
Legend

 94 7th Avenue - Proposed SLA Space

0 15 30 60 US Feet




Figure 2 – Land Use



Legend

- | | | |
|------------------------------------|--|----------------------------------|
| 94 7th Avenue - Proposed SLA Space | MultiFamily Elevator Buildings | Public Facilities & Institutions |
| Land Use | Mixed Commercial/Residential Buildings | Open Space |
| One & Two Family Buildings | Commercial/Office Buildings | Parking Facilities |
| MultiFamily Walkup Buildings | Industrial/Manufacturing | Vacant Land |
| | Transportation/Utility | All Others or No Data |

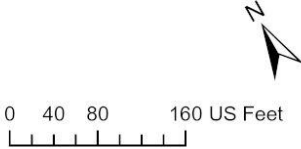


Photo 1: View of Site from Seventh Avenue

2. SUMMARY OF FINDINGS

The results of the acoustical monitoring and simulation of noise generation associated with the proposed food and beverage establishment indicated that even under worst case noise generation assumptions, the combination of simulated patron and background music from the licensed spaces would not result in exceedances of the New York City Noise Code at the exterior or interior of the nearby sensitive residential receptors. The background music would only be played in indoor spaces. The evaluation of potential noise impact was developed on a worst-case basis to assess potential impact i.e., the combination of the lowest outdoor ambient noise monitored and the consideration of continuous noise levels that are well above comparable establishments.

The potential for noise impact to all adjacent neighbors was evaluated and is expected to result in no perceivable noise over ambient conditions. Based on the age of the building, modern construction techniques, typical commercial windows, and the low levels of sound expected to be generated from the use, it is not anticipated that there would be any audible increase in sound levels at the exterior of the building due to the interior SLA spaces. As there are residential apartments above the interior SLA spaces,

the mitigation measures discussed in Section 4.3 will be installed to ensure there is no audible increase in sound levels in those units.

Outdoor noise levels were collected during the acoustical study, and it was determined that the ambient sound levels were 71.5 dB(A) along Seventh Avenue. Using estimated patron generated sound levels from the sidewalk café, distance reduction calculations to the nearest exterior noise receptors, and the ambient sound levels, the following total sound levels are expected as a worst-case scenario during the peak business hours of the proposed outdoor SLA spaces:

Table 1: Expected Outdoor Sound Levels due to the Outdoor Sidewalk Café

Location	Outdoor Noise Level dB(A)	Increase Over Ambient dB(A)
94 7 th Avenue – 2 nd Floor Residential	73.82	2.32
91 7 th Avenue – 2 nd Floor Residential	71.54	0.04
79 7 th Avenue – 2 nd Floor Residential	71.53	0.03
78 7 th Avenue – 2 nd Floor Residential	71.62	0.12

The increase over ambient sound levels expected at the adjacent Noise Sensitive Receptors are well below the requirements set forth in New York City Administrative Code.

In general, hearing is such that change of 3 dB(A) is just noticeable¹. Based on the above, there will be no significant perceptible increase in noise levels affecting the nearest buildings due to the interior sounds generated by the proposed establishment.

3. NYC NOISE CODE

The local noise code is set forth in Title 24, Chapter 2 of the New York City Administrative Code.

3.1 § 24-218 General Prohibitions

Section §24-218 addresses unreasonable noise that is not covered by another section of the code. The following sound levels are prohibited by this section:

- Non-impulsive sound measured at 7 dB(A) or more above the ambient sound level at the receiver between the hours of 10:00 P.M. and 7:00 A.M.
- Non-impulsive sound measured at 10 dB(A) or more above the ambient sound level at the receiver between the hours of 7:00 A.M. and 10:00 P.M.
- Impulsive sound measured at 15 dB(A) or more above the above the ambient sound level at the receiver.

3.2 § 24-231 Commercial Music

Section §24-231 addresses music originating from commercial establishments, when measured inside dwelling units. The following limits are provided in this section:

¹ 2021 CEQR Technical Manual, Section 19-122

- 42 dB(A) overall sound level.
- 45 dB(A) sound level in any one-third octave band from 65 hertz to 500 hertz.
- 6 dB(C) increase over ambient level, provided that ambient is in excess of 62 dB(C).

4. ACOUSTICAL INVESTIGATION

The proposed licensed spaces are to be located on the cellar, first floor, and sidewalk cafe at 94 Seventh Avenue. The licensed space will front Seventh Avenue.

4.1 Ambient Sound Measurements

To establish existing baseline ambient sound levels, measurements were performed outdoors along the Seventh Avenue frontage. The noise monitoring locations are shown as **Figure 3** below.

Table 3 below shows the results of the noise monitoring.

Table 3 – Ambient Noise Monitoring Results

<i>Tuesday, March 20, 2024</i>	
Location	1
Time	8:00 pm – 8:21 pm
L _{max}	95.7
L ₁₀	73.0
L _{eq}	71.5
L ₅₀	66.0
L ₉₀	59.5
L _{min}	55.1

These noise readings were collected during the evening hours, to represent the lowest ambient noise conditions during the proposed hours of operation. It is expected that the sound levels will increase above the recorded nighttime levels by approximately 5 - 7 dB(A) during daytime hours.

4.1 Ambient Sound Measurements



To establish existing baseline ambient sound levels, measurements were performed outside on Street level on the sidewalk in front of Seventh Avenue frontage. The noise monitoring locations are shown as **Figure 2** below. The average overall A-weighted² sound level measured during the proposed hours of operation was 71.5 dB(A) on Seventh Avenue.

² A-weighting, noted as dB(A), is a standardized sound level meter setting having a frequency characteristic similar to the human ear/brain frequency.

Figure 2 – Ambient Noise Monitoring Locations



Legend

-  94 7th Avenue - Proposed SLA Space
-  Noise Monitoring Location

0 15 30 60 US Feet



4.2 Measurement Equipment

Measurements of the airborne sound pressure levels were performed using a Type 1 Casella CEL-633 sound level meter with wind screen. The monitor was placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitor was calibrated prior to and following the monitoring session. Noise meter calibration certification and backup data are provided as an attachment.

4.3 Restaurant Evaluation Results

The main bar on the first-floor bar in the cellar will have background music played at low levels. The sidewalk café will have no background music. The hours of operation of the indoor spaces will be 11:00 am – 12:00 am Sunday through Wednesday and 11:00 am – 2:00 am Thursday through Saturday. The outdoor sidewalk café will operate 11:00 am to 10:00 pm 7-day a week. The cellar will have no exterior facing facades and is therefore not analyzed for acoustic purposes. As the licensed spaces will have exterior facing facades, the first floor will be used for the purposes of the acoustic evaluation. The first floor will have 25 tables with 50 seats and 14 bar stools for a total of 64 seats. Based on the proposed use of the spaces, a sound level of 75 dB(A) can be expected in the interior spaces due to patron generated noise and low-level background music.

Based on the age of the building, modern construction techniques, typical commercial windows, and the low levels of sound expected to be generated from the use, it is not anticipated that there would be any audible increase in sound levels at the exterior of the building due to the interior SLA spaces.

On the second floor, located above the SLA space, are residential apartments. In order to avoid impacts from the noise generated by the SLA space, the following recommendations (or equivalent) are made:

- Install the sound system on spring isolation hangers, sized for a minimum 1-inch static deflection. Appropriate products include the SHAA hangers, by Kinetics Noise Control, or equal.
- If the sound system is to have an amplifier, it should be controlled by a centralized electronic system in order to allow for the installation of a signal limiter. When activated, the limiter sets the maximum level that cannot be exceeded by the signal. In addition, the system should incorporate a high-pass filter set at 125 Hz with a roll-off rate of 12 dB/octave. The final settings of the limiter must be determined in the field after the implementation of the noise control recommendations.
- Replace existing HVAC ducting with new fully insulated duct work, installed on spring isolation hangers, sized for a minimum 1-inch static deflection. Appropriate products include the SHAA hangers, by Kinetics Noise Control, or equal.
- Ceiling recommendations: Seal all holes and gaps in the existing deck; minimum 4-inch cavity filled with unfaced mineral fiber insulation batts; Kinetics IsoGrid isolation hangers; Two layers of 5/8" thick QuietRock EZ-SNAP, applied with offset joints; Tape and spackle QuietRock panel joints; QuietRock edges must be acoustically sealed to adjacent surfaces; Finished ceiling supported by isolated ceiling.
 - The isolation hangers, hanging wire, and drywall grid must be free and clear of beams, ductwork, piping, and any other elements that may create a rigid connection. The isolation hanger vendor will require a coordinated drawing showing all loads to be

supported from the isolation hangers, in order to correctly specify the sizing and spacing of the isolators.

- Perimeter Isolation: Where the isolated ceiling abuts a wall or column, there should be a minimum ¼ inch thick layer of perimeter isolation board between the ceiling grid and the building element, such as Kinetics CPT. This ¼ inch gap should then be sealed below the perimeter isolation board with continuous beads of resilient, non-hardening caulk. Where ceiling beams are present, the isolated drywall ceiling should be dropped to traverse underneath each beam without making rigid contact.
- Ceiling Penetrations: To the extent possible, all services including ductwork and piping should be installed below the isolated ceiling, with as few penetrations as possible through the isolated ceiling. Where penetrations are unavoidable, GZA recommends that the diameter of the annular space formed by penetrations be limited to ½ inch. A gap of this size may then be effectively sealed with a resilient, non-hardening caulk or fire-stop putty. Please note that fire ratings of such a construction should be verified with the appropriate licensed fire code professional.
- Acoustic Sealants: Appropriate sealants include non-hardening caulks and do not necessarily need to be specialty “acoustical sealants.” Selected sealants must have the ability to maintain permanent flexible bonds to exposed substrates. Omitting sealants may significantly reduce the acoustical performance of wall and floor/ceiling assemblies due to small air paths that may allow for sound “leaks” and thereby reduce the overall acoustical performance.
- Insulation: Unless fire code requires otherwise, regular unfaced mineral fiber insulation may be used in place of specialty acoustical or fire batts and blankets. Studies suggest that unfaced mineral fiber insulation provides the same or better sound isolation properties as specialty batts and blankets. The key aspect is that the insulation thickness must match the thickness of the cavity. Providing insulation that is less than the thickness of the cavity or overstuffing the cavity will lower the sound isolation of the assembly.

4.4 Outdoor Dining Area Evaluation Results

There is proposed to small sidewalk café along Seventh Avenue. It is expected that there will be 4 Tables with 8 seats available for dining. The outdoor sidewalk café will operate 11:00 am to 10:00 pm 7-day a week. Based on the proposed use of the sidewalk café, a sound level of between 70 dB(A) can be expected at the sidewalk cafe due to patron generated noise.

Figure 3 – Nearest Noise Sensitive Receptors



Legend

- - - 94 7th Avenue - Proposed SLA Space
- - - Noise Sensitive Receptor 1 - 94 7th Avenue - 2nd Floor Residential
- - - Noise Sensitive Receptor 2 - 91 7th Avenue - 2nd Floor Residential
- - - Noise Sensitive Receptor 3 - 79 7th Avenue - 2nd Floor Residential
- - - Noise Sensitive Receptor 4 - 78 7th Avenue - 2nd Floor Residential

0 25 50 100 US Feet



Table 4: Expected Outdoor Sound Levels due to the Proposed SLA Spaces

Location	Outdoor Noise Level dB(A)	Increase Over Ambient dB(A)
94 7 th Avenue – 2 nd Floor Residential	73.82	2.32
91 7 th Avenue – 2 nd Floor Residential	71.54	0.04
79 7 th Avenue – 2 nd Floor Residential	71.53	0.03
78 7 th Avenue – 2 nd Floor Residential	71.62	0.12

The increase over ambient sound levels expected at the adjacent Noise Sensitive Receptors are well below the requirements set forth in New York City Administrative Code.

In general, hearing is such that change of 3 dB(A) is just noticeable³. Based on the above, there will be no significant perceptible increase in noise levels affecting the nearest buildings due to the interior or exterior sounds generated by the proposed establishment.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.



Gene Bove, INCE
Project Manager



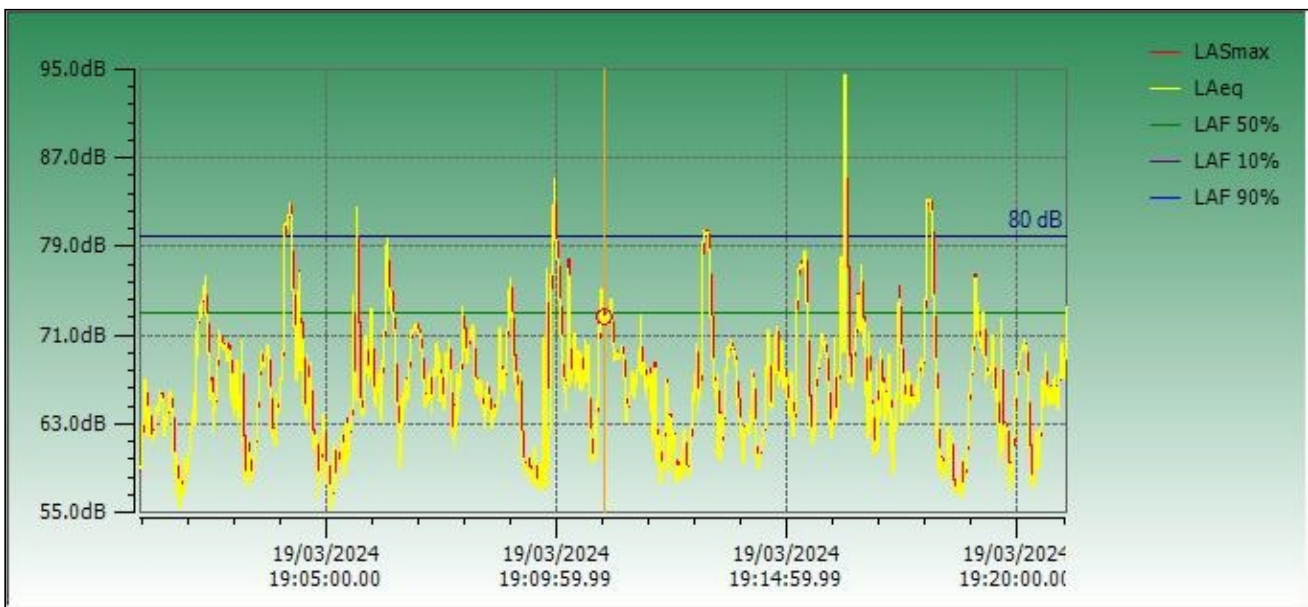
Kevin Williams, AICP, PP
Vice President / Associate Principal

³ 2021 CEQR Technical Manual, Section 19-122

Report On CEL-63X

meter not corrected for daylight savings, all readings off by 1-hour

Instrument Model		CEL-633C	
Serial Number	5086866	LASmin	55.1 dB
Start Date & Time	3/19/2024 7:00:58 PM	LAeq	71.5 dB
End Date & Time	3/19/2024 7:21:03 PM	LAS 10%	73 dB
Duration	00:20:05 HH:MM:SS	LAS 50%	66 dB
Pause Duration	00:00:00 HH:MM:SS	LAS 90%	59.5 dB
Calibration (Before) Date	3/19/2024 6:58:38 PM	LDN	0
Calibration (After) Date	3/19/2024 7:21:22 PM	Result	Cumulative
LASmax	95.7 dB		



94 7th Ave - 2nd Floor		
7th Avenue Ambient (dBA)	71.5	dba
Outdoor Dining Sound Level	70	dba
Distance (10')	10	feet
Distance Correction	0	-
Distance Corrected Sound Level at 20'	70	dba
Distance Corrected Sound Level + Ambient	73.82474	dba
Total dB(A) Increase	2.324741	dba

91 7th Ave - 2nd Floor		
7th Avenue Ambient (dBA)	71.5	dba
Outdoor Dining Sound Level	70	dba
Distance(89')	89	feet
Distance Correction	-18.9878	-
Distance Corrected Sound Level at 50'	51.0122	dba
Distance Corrected Sound Level + Ambient	71.53864	dba
Total dB(A) Increase	0.038643	dba

79 7th Ave - 2nd Floor		
7th Avenue Ambient (dBA)	71.5	dba
Outdoor Dining Sound Level	70	dba
Distance (95')	95	feet
Distance Correction	-19.5545	-
Distance Corrected Sound Level at 100'	50.44553	dba
Distance Corrected Sound Level + Ambient	71.53393	dba
Total dB(A) Increase	0.033934	dba

78 7th Ave - 2nd Floor		
7th Avenue Ambient (dBA)	71.5	dba
Outdoor Dining Sound Level	70	dba
Distance (50')	50	feet
Distance Correction	-13.9794	-
Distance Corrected Sound Level at 100'	56.0206	dba
Distance Corrected Sound Level + Ambient	71.62127	dba
Total dB(A) Increase	0.121274	dba

Excel calculations may be provided up request